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Conventional arms control at the regional and subregional levels

Report of the Secretary-General

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I. Introduction

1. In its resolution 64/42 of 2 December 2009, on conventional arms control at the regional and subregional levels, the General Assembly, convinced that conventional arms control needed to be pursued primarily in the regional and subregional contexts since most threats to peace and security in the post-cold-war era arose mainly among States located in the same region or subregion, decided to give urgent consideration to the issues involved in conventional arms control at the regional and subregional levels, and requested the Secretary-General to seek the views of Member States on the subject and to submit a report to the Assembly at its sixty-fifth session.

2. Pursuant to that request, on 5 March 2010, the Secretariat sent a note verbale to Member States requesting their views on the subject. As of the writing of the present report, nine replies have been received from the following States: Armenia, Bosnia and Herzegovina, Burkina Faso, Greece, Lebanon, Mexico, Panama, Serbia and Ukraine. The replies are reproduced in section II below. Subsequent replies will be issued as addenda.

II. Replies received from Member States

Armenia

[Original: English]
[27 April 2010]

General Assembly resolution 64/42 provides an excellent opportunity to speak about challenges focusing, in particular on conventional arms control at the regional and subregional levels, leading a discussion of the best ways to deal with key ongoing developments on the issue.

Armenia therefore values its cooperation with the relevant international organizations, first of all within the Organization for Security and Cooperation in Europe (OSCE), whose institutions and executive structures are important pillars for regional security cooperation and confidence-building measures, as well as for regional arms control.

1. Organization for Security and Cooperation in Europe

The main OSCE arms control, disarmament and security cooperation institutions are the Conflict Prevention Centre (CPC) and the Forum for Security Cooperation (FSC). The Joint Consultative Group is also a part of OSCE, but acts only within the member States of the Treaty on Conventional Armed Forces in Europe.

FSC includes the Vienna Document of 1999, the Code of Conduct, the Global Exchange of Military Information, as well as issues relating to anti-personnel landmines, small arms and light weapons, national practices on the brokering and control of armaments, export control, and so on. All of them envisage annual exchanges of relevant information, and, in the case of the Vienna Document, there are also inspections and evaluation visits. For example, every year Armenia receives three designated-area inspections along with one evaluation visit.

The OSCE Annual Security Review Conference, the OSCE Annual Implementation Assessment Meeting and the OSCE Meeting to Review the Document on Small Arms and Light Weapons are main and basic issues of OSCE-CPC/FSC. They are major tools for reflection on and evaluation of the implementation of the OSCE confidence- and security-building measures.

2. The Treaty on Conventional Armed Forces in Europe

The CFE Treaty is one of the main arms control arrangements which is aimed at minimizing concerns and challenges and at the same time strengthening confidence, openness and security between the participating States. Armenia understands the CFE Treaty as one of the cornerstones of European stability and security. Since 1992, the Treaty has proved that it is a major tool for the creation of common regional trust and confidence.

Like other OSCE arms control regimes, the Treaty requires annual and current exchanges of military information, as well as verification, arms reduction and inspections. According to the number of passive quota, usually four inspections (including multinationals) of the Armenian Armed Forces are conducted by other member States each year.

In this respect it should be mentioned that Armenia is also active in this field. Thus, it used once of its active quotas and successfully conducted an inspection of the Turkish Armed Forces last years.

3. Violation of the CFE Treaty by Azerbaijan

At the beginning of 2010, the Republic of Azerbaijan once again demonstrated its attitude and "manner" towards the implementation of international agreements. According to the regular annual CFE exchange of information, the Republic of Azerbaijan, as had already happened in 2006, 2007, 2008 and 2009, officially declared that it was over quoted in two out of five categories of Treaty-limited Equipments: 161 battle tanks and 140 artillery systems more.

That case was continuously followed by the Armenian side within OSCE, as well as in other international organizations, from 2006 to 2009. The permanent delegation of Armenia to OSCE raised the fact of Azerbaijan's violation of the international agreement. The case was condemned by several other delegations (Germany, the United States of America, the Russian Federation, France, etc.) during the Joint Consultative Group and OSCE regular and annual meetings.

The issue of the violation was also criticized within the United Nations, NATO and the Collective Security Treaty Organization; Azerbaijan was considered as a rough neglector of its legal obligations under the International Treaty.

At the same time, the Azerbaijani side has since 2006 responded that its armed forces were in a modernization process and that reductions would follow. Despite this fact, however, Azerbaijan has not taken any steps to reduce or decommission the excessive Treaty-Limited Equipment in recent years.

Another explanation given by Azerbaijan is the force majeure situation as a more general political picture, which refers to the Nagorno-Karabakh issue.

In this respect, it has been mentioned several times by the Armenian side that the CFE Treaty is a legally binding document with concrete tasks, provisions and

principles aimed at stability, predictability, military balance and transparency in our common security framework. Therefore, any double talk, political argumentation or justifications brought from elsewhere are not appropriate in this context. The implementation of the international Treaty does not have any common sense with the Nagorno-Karabakh issue: the latter is the theme of discussions within the OSCE Minsk Group framework.

In this respect a good reminder of the experience of August 2008 with the Georgia-South Ossetia-Abkhazia situation showed that the uncontrolled arms race and force demonstration are non-perspective, very dangerous and full of unpredictable developments with respect to regional security.

Moreover, during the last OSCE Ministerial meeting, held in Athens in December 2009, Azerbaijan, along with Armenia and the Minsk Group Co-Chairs, signed the Ministerial Statement on Nagorno-Karabakh, and confirmed itself "to finalize the basic principles on the peaceful settlement of the Nagorno-Karabakh conflict, based on the Madrid document, in order to begin drafting a comprehensive peace agreement in good faith and without delay".

Armenia will continue to follow up the Azerbaijani 2010 Treaty violation case. Armenia once again confirms its readiness to implement its international obligations under the CFE Treaty and renews its commitment to a peaceful solution of the Nagorno-Karabakh issue within the OSCE Minsk Group.

Bosnia and Herzegovina

[Original: English]
[13 April 2010]

Agreement on subregional arms control

Guided by the General Framework Agreement for Peace in Bosnia and Herzegovina, Annex 1-B, Agreement on Regional Stabilization, article IV, signed in Paris on 14 December 1995, Bosnia and Herzegovina signed the Agreement on Subregional Arms Control in Vienna on 4 January 1996.

The Agreement on Subregional Arms Control establishes new forms of cooperation in the field of security aimed at building transparency and confidence and achieving balanced and stable defence force levels at the lowest numbers consistent with the parties' respective security and the need to avoid an arms race in the region.

The Agreement is based on the same guidelines and principles as the CFE Treaty. Four countries are involved on its implementation: Bosnia and Herzegovina, Montenegro, the Republic of Croatia and the Republic of Serbia. Thanks to this Agreement, the southern European region has set an example as far as arms control and disarmament in a post-conflict situation are concerned. A high level of cooperation was achieved in the area, and today the parties are continuing to work in a common effort to further strengthen stability, transparency and confidence. More than 9,000 items of heavy weaponry have been reduced so far.

Treaty on Open Skies

Bosnia and Herzegovina is a party to the Treaty on Open Skies, which establishes a programme of unarmed aerial surveillance flights over the entire territory of its participants. It is designed to enhance mutual understanding and confidence by giving all participants, regardless of their size, a major role in gathering information about military forces and activities of concern to them and is one of the most wide-ranging international efforts to date promoting the openness and transparency of military forces and activities.

Vienna Document 1999

Bosnia and Herzegovina also participates in other conventional arms-control agreements concluded within the framework of the Organization for Security and Cooperation in Europe, including the Vienna Document 1999 of the negotiations on confidence- and security-building measures, which is designed to promote mutual trust and dispel concern about military activities by encouraging openness and transparency. Its provisions regarding the exchange and verification of military information on participating States' armed forces, their defence policies and military activities, including the size of defence budgets, the location, size and strength of military units and formations, the exchange of annual calendars and prior notification of certain military activities, as well as observation of certain military activities, increase transparency and confidence by promoting broader and more comprehensive cooperation among States at the regional and subregional levels.

Bosnia and Herzegovina faces a number of important challenges related to arms control at the present time. According to recent research, a significant proportion of Bosnians possess firearms, many of which (perhaps three quarters) are unregistered. The widespread availability of small arms and light weapons in Bosnia and Herzegovina is obviously of significant concern, given their destabilizing potential. Further, organized crime remains a problem in Bosnia and Herzegovina and poses a threat to both the rule of law and to human security.

The independent studies conducted in 2004 indicate that over 8,000 people have died as a result of the misuse of weapons since the end of the war in 1995. According to UNDP in Bosnia and Herzegovina media reporting in 2007 and 2008, a total of 455 weapons-related incidents occurred within a mortality index of more than 26 per cent. In the first four months of 2009 alone, a total of 22 armed robberies were reported.

Bosnia and Herzegovina has, jointly with UNDP in Bosnia and Herzegovina, initiated projects targeting the reduction of the uncontrolled presence of small arms and light weapons and ammunition and improvement of the control and coordination mechanisms. In addition, the Bosnia and Herzegovina Coordination Board has developed and is implementing a National Strategy and Action Plan for Small Arms and Light Weapons Control that set outs the needs, activities, measures and responsible parties for the implementation of the Strategy.

To this end, UNDP and the Coordination Board developed and launched the Small Arms Control programme, which works towards addressing these challenges through:

(a) Enhancing the institutional capacities of Bosnia and Herzegovina to reduce and control small arms and light weapons and ammunition in Bosnia and

Herzegovina through better informed policymakers and support for the National Coordination Board and the implementation of the National Strategy for Small Arms and Light Weapons Control in Bosnia and Herzegovina;

(b) Destruction of surplus and seized weapons;

(c) Disposal of ammunition through the upgrading of national capacities.

Burkina Faso

[Original: French]
[15 June 2010]

Conventional arms control requires the rigorous management of national stockpiles of weapons involving:

- Regular reviews in which stocks are "purified" through the destruction of obsolete and decommissioned weapons;
- The periodic destruction of decommissioned munitions.

Such operations, which are already in place in Burkina Faso, could be given a formal structure through the establishment of a legally binding peer control system at the regional level. This system would reinforce existing subregional agreements, such as the Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials, drawn up by the Economic Community of West African States and in force since September 2009, of which Burkina Faso is a signatory.

Greece

[Original: English]
[3 May 2010]

Confidence- and security-building measures in the field of conventional arms

1. Confidence- and security-building measures refer to a series of measures that are designed to render greater transparency and prediction capability for military issues, for the concerned States to adapt.

2. Greece fully participates in the creation of stability, security and cooperation structures among the member nations of the Organization for Security and Cooperation in Europe (OSCE), with the aim of enhancing the regional security institutions and eliminating the tensions in the areas concerned.

3. Greece attributes special importance to the role that OSCE is called to play in the international security environment and participates in all initiatives aimed at enhancing OSCE strength and at employing its capabilities in crisis prevention and management.

4. Motivated by the fundamental need to promote and ensure confidence and security in the OSCE area of application, in order to avoid the occurrence of threats or violence in the international environment, our country steadily supports the initiatives of the aforementioned organization, implementing the following confidence- and security-building measures in the field of controlled arms.

A. Vienna Document 1999

According to the provisions of the above document, our country applies, on an annual basis, the following measures:

(a) The exchange of military information and the changes to the structure and organization of the armed forces units;

(b) The exchange of the defence planning text regarding the defence policy, the military strategy and the military doctrine, along with the armed forces procurement and armaments expenditure;

(c) Military contacts with other OSCE member States through visits to airbases and military facilities. Greece organized in 2004 a visit to an airbase and military facility;

(d) The former eastern countries military unit evaluations, based on NATO coordination and bilateral military cooperation, mainly with the Balkan countries. Greece also receives passive evaluations and inspections. For the year 2009, one inspection to Sweden was conducted. The Russian Federation conducted one inspection and one evaluation visit to Greece;

(e) The prior notification of certain military activities (>9000 troops, or >250 BT etc.) and constraining provisions for military activities.

B. Global Exchange of Military Information

Our country annually exchanges with the rest of the OSCE member States general military information concerning the conventional forces in formation level (personnel and seven types of weapons systems of the Army, Navy and Air Force such as battle tanks, armoured combat vehicles, artillery, combat aircraft, attack helicopters, warships and submarines).

C. Dayton Agreement (Annex 1-B, article IV)

Even though our country is not a co-signatory member of the Dayton Agreement, it participates annually, under OSCE auspices, with military inspectors — escorts — in the multinational teams composed to this end in order to assist the implementation of article IV of the Dayton Agreement, Annex 1-B).

D. Conventional arms transfers

(a) Based on General Assembly resolution 46/36 and OSCE FSC.DEC 13/97, import-export data for the previous year of seven types of main weapon systems (tanks, armoured vehicles, artillery, combat aircraft, attack helicopters, warships and submarines) are available annually along with data on existing weapons systems and holdings. Man-portable air defence systems are also included;

(b) Additionally, as a result of FSC.DEC 20/95, there is an annual data exchange on the policy of conventional arms transfers.

E. Code of Conduct on Politico-Military Aspects of Security

(a) The Code of Conduct covers the politico-military aspects of armed forces personnel of OSCE member States, based on international and humanitarian law;

(b) According to FSC.DEC 1/09, information concerning the implementation of the provisions of the Code of Conduct is exchanged annually, as provided for by an adopted questionnaire.

F. Small arms and light weapons

In the field of small arms and light weapons, during the previous year, our country exchanged information on exports to and imports from other participating States.

Lebanon

[Original: Arabic]
[21 May 2010]

Subject: Conventional arms control at the regional and subregional levels

The Ministry of National Defence affirms the following principles:

- Full compliance with resolutions of international legitimacy adopted by the United Nations and respect for the Charter in regard to this matter;
- Priority focus on the resolution of international disputes, in particular the Arab-Israeli conflict;
- The equality of States in terms of sovereignty and territorial integrity, prevention of an arms race, and confidence-building;
- An undertaking by all concerned regional States to remain compliant with a view to precluding any repetition of the double standards applied in connection with the Treaty on the Non-Proliferation of Nuclear Weapons and the need to hold States accountable in the event of non-compliance;
- Control of the manufacture and transfer of arms and suppression of the smuggling of and illicit trafficking in arms, in order to ensure that they do not fall into the hands of terrorists;
- The enactment of legislation at the regional and international levels to limit the proliferation of such weapons, while allowing for the possibility of their individual or collective use to resist occupation or defend territory;
- The strengthening of multilateralism as a means of furthering negotiation on arms regulation and disarmament.

Mexico

[Original: Spanish]
[14 May 2010]

In response to note ODA/21-2010/CAC, from the Office for Disarmament Affairs, the Government of Mexico hereby submits the following opinion with respect to resolution 64/42, on conventional arms control at the regional and subregional levels, which was adopted by the General Assembly on 2 December 2009.

Mexico is of the view that conventional arms control at the regional and subregional levels is a fundamental factor in confidence-building and the prevention of conflicts between States.

In the context of conventional arms control at the regional and subregional levels, Mexico has always acted in accordance with the principles of the Charter of the United Nations and the Charter of the Organization of American States by promoting the implementation of confidence-building measures and compliance with the obligations intended to implement them as a means of encouraging transparency and the exchange of information in the region.

As regards the implementation of arms control measures, Mexico proposes that:

(a) Regional and subregional agreements for the harmonization of the marking systems of the various arms and ammunition manufacturing companies should be promoted;

(b) States should take the necessary steps to expedite procedures for dealing with requests for cooperation in the tracing of firearms, ammunition and explosives; and

(c) A body responsible for ensuring effective conventional arms control at the regional and subregional levels should be established under the Office for Disarmament Affairs in accordance with the budget approved for that Office.

Action at the national level

With regard to measures for transparency in the acquisition, development and deployment of conventional and strategic weapons, Mexico provides information annually to the United Nations for inclusion in the United Nations Register of Conventional Arms and to the Organization of American States under the standardized international reporting system on military expenditure. Such reporting helps to strengthen confidence-building measures in the field of conventional arms.

The Ministry of Defence, in coordination with the state and municipal governments, periodically carries out arms-in-exchange-for-payment campaigns aimed at reducing the number of weapons in the hands of civilians and thereby facilitating the implementation of arms control measures within the country.

The Ministry of Defence is also responsible for the strict control, custody and marking — for purposes of identification — of weapons decommissioned by the Government of Mexico. Such weapons are then disposed of or destroyed, provided that they are not the subject of any criminal investigation. Additionally, the Ministry of Defence has implemented rigorous procedures for the management of police-

issue weapons whereby justifications for specific weapons are subject to analysis, verification and validation prior to approval.

Panama

[Original: Spanish]
[23 June 2010]

The Republic of Panama believes that this initiative, intended to promote the conclusion of regional arms control agreements, should be supported, since the existence of bilateral and regional legal instruments that establish guidelines for the import and export of armaments would reduce the risks of proliferation and illegal transfer by helping States to distinguish between licit trade and illicit traffic.

Serbia

[Original: English]
[28 April 2010]

The Republic of Serbia consistently implements the provisions of international agreements in the field of arms control and abides by its relevant commitments.

The regional level

Pursuant to chapter X of the Vienna Document 1999 (Regional Measures), the Government of Serbia has signed with the Government of Hungary a bilateral agreement on confidence- and security-building measures complementing the Vienna Document 1999.

On the same basis, the Ministry of Defence of Serbia signed with the Ministry of Defence of Bulgaria the Protocol on Confidence- and Security-Building Measures implementing the Vienna Document 1999.

Furthermore, pursuant to chapter X of the Vienna Document 1999 (Regional Measures), and under the Final Document on the Negotiations Related to Article IV, Annex 1-B, of the General Framework Agreement for Peace in Bosnia and Herzegovina, the Verification Centre of the Ministry of Defence of Serbia and the Verification Centre of the Bundeswehr have signed the letter of intent providing for additional activities in the field of arms control.

The subregional level

Under the Final Document on the Negotiations Related to Article IV, Annex 1-B, of the General Framework Agreement for Peace in Bosnia and Herzegovina (Agreement on Subregional Arms Control), Serbia accepts each year the specified number of inspections of the parties to the Agreement, as well as the arms reduction inspections. At the same time, Serbia conducts, through the Verification Centre of the Ministry of Defence, the specified number of inspections of the parties to the Agreement.

Serbia renders an important contribution to conventional arms control at the subregional level through its active participation in the Agreement on Subregional Arms Control. The implementation of the provisions of this Agreement has proved

itself an effective instrument for achieving a balanced and stable level of defence forces with the lowest quantities of weapons needed for the defence of the parties as an essential element for establishing peace and security as well as for confidence-building.

Ukraine

[Original: Russian]
[19 May 2010]

General Assembly resolution 64/42 "Conventional arms control at the regional and subregional levels"

One of the main areas of work of the Armed Forces of Ukraine in 2010 is to ensure the strict implementation by the State of international obligations in the military sphere and increase cooperation with all partners and neighbours.

The armed forces of Ukraine are participating actively in conventional arms control processes, specifically:

The Treaty on Conventional Armed Forces in Europe;

The 1999 Vienna document of the negotiations on confidence- and security-building measures, and also the bilateral agreements on additional confidence- and security-building measures formulated on its basis and signed with neighbouring States (the Republic of Poland, the Slovak Republic, the Republic of Hungary and the Republic of Belarus);

The Treaty on Open Skies;

The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (the Ottawa Convention);

The documents of the Organization for Security and Cooperation in Europe (OSCE) regulating the approach to small arms and light weapons.

The active conduct of joint monitoring efforts, both in the territory of Ukraine and beyond its borders, is making a significant contribution to transparency in this regard.